

### III. REMARKS

Claims 1-26 are pending in this application. By this amendment, claims 1, 2, 9, 11, 12, 18, 20, and 25 have been amended. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-26 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Moser *et al.* (U.S. Patent No. 6,275,789), hereafter "Moser." Applicants respectfully traverse the rejection.

With regard to the 35 U.S.C. §102(e) rejection over Moser, Applicants assert that Moser does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 9, 12 and 20, Applicants submit that Moser fails to teach translating selected text directly between the source language and the destination language. The passage of Moser cited by the Office teaches translation into third languages, i.e., languages other than Moser's linked alternative language. Col. 16, line 52 through col. 17, line 17. The Office argues that the linked alternative language is used to translate from the source language to an alternative

language. However, even assuming, *arguendo*, that the Office's contention is correct, Applicants respectfully submit that the Office's statement is not equivalent to the direct translation of the claimed invention. For example, the fact that a person uses an automobile to travel from work to home does not necessarily mean that the person travels directly from work to home. Conversely, the person may use an automobile to make a number of stops between the starting point and the destination. In similar fashion, direct translation from the source language to the destination language does not necessarily follow from the Office's statement that the linked alternative translates from the source language to an alternative language.

The failure of Moser to teach direct translation is further borne out in the passage of Moser cited by the Office. The portion of Moser describing translation to third languages states that "...the invention can be used in four ways to translate between natural languages that are not its source language." Col. 16, lines 65-67. The first alternative in Moser uses the linked alternative language as a pivot language for translating between the source language corresponding to the pivot language and any target language. Col. 17, lines 1-3. Moser defines a pivot language as a language "...into which all potential source languages might be automatically translated; then from that pivot-language, texts could be automatically generated into any target language." Col. 2, lines 39-43. To this extent, in the first alternative of Moser, the source language is translated into the linked alternative language, and from the linked alternative language into the target language, and not directly from the source language to the target language. Similarly, the translation in the second alternative of Moser does not translate directly either, but instead uses a linked alternative language "...as a pivot language for translation

between a natural language which is not its source language and any additional target language.”

Col. 17, lines 4-7.

The translation in the third alternative of Moser translates by creating a new linked alternative language for each of a plurality of languages to be translated between. Col. 17, lines 9-13. The matter to be translated is translated to the linked alternative language corresponding to the language to be translated from, translated from that linked alternative language to the linked alternative language corresponding to the language to be translated to, and then translated from that linked alternative language to the language to be translated to. Col. 17, lines 9-13. As such, the translation in the third alternative of Moser is even less direct than the first two. Finally, in the fourth translation alternative of Moser, a delimiting template allows a few words within the template to be entered by the user. Col. 17, lines 14-17. These words are then translated from the language in which they are entered to the linked alternative language and from the linked alternative language to the desired language. Col. 17, lines 14-17; see also col. 37, line 45-col. 38, line 67.

To this extent, none of Moser's four ways to translate teaches direct translation from a source language to an alternative language. This is further, accentuated by the introductory statement of the section of Moser cited by the Office that “[a] text in a linked alternative language which has undergone the above mentioned enhancement procedure will have more semantic content and will be easier to translate into ‘third languages.’” Col. 16, lines 54-57. To this extent, Moser's four ways to translate presuppose conversion into the linked alternative language prior to translation into the third language. Thus, the translation of Moser is to an

intermediate language and, as such, is not a true translation from a user specified source language (such as Chinese) directly to a user specified destination language (such as English).

In contrast, the claimed invention includes "...translating selected text directly between the source language and the destination language." Claim 1. As such, the translating of the claimed invention is not merely to an intermediate language such as the LAL in Moser, but is instead directly between the designated source language and the designated destination language. For the above stated reasons, the translating of claimed invention is not taught by the translation of Moser. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 1, 9, 12 and 20, Applicants respectfully submit that Moser also fails to teach that the translating is based solely upon the language dictionary. The Office equates the language dictionary of the claimed invention with a passage of Moser that teaches "...a standard bilingual-dictionary on the usages of the word or phrase in the source language and in any of a plurality of other natural languages or emulations thereof." Col. 31, line 66 through col. 32, line 2. This dictionary may be linked to a Central Concordance that is used by Moser to link or map the source language to the linked alternative language. To this extent, the dictionary is merely linked to the Central Concordance, and not a portion thereof. Furthermore, Moser teaches that the source language and the linked alternative language are linked or mapped by the Central Concordance, and not the standard bilingual-dictionary, much less the standard bilingual dictionary alone. In fact, the translating of Moser could not be based solely upon the standard bilingual-dictionary because Moser does not translate the source language into the other natural language, but instead into the linked alternative language.

The claimed invention, in contrast, includes "...a translation system for translating selected text directly between the source language and the destination language solely based upon the language dictionary." Claim 1, emphasis added. As such, in contrast to Moser, which links or maps the source language to the linked alternative language using a Central Concordance that may be linked to a standard bilingual dictionary, the translating of the claimed invention is based solely upon the language dictionary. For the above reasons, Moser does not teach translating selected text based solely upon the language dictionary as included in the claimed invention. Accordingly, Applicants request that the rejection be withdrawn.

With respect to independent claim 9, and with respect to dependent claims 2, 18 and 25, Applicants respectfully submit that Moser fails to teach an update system for updating the retrieved language dictionary to a most current version. The Office equates the retrieved language dictionary of the claimed invention with the standard bilingual dictionary of Moser. Final Office Action, page 4. The Office then equates the update system for updating the retrieved language dictionary of the claimed invention with a statement in Moser that the source language may be written English, reflecting the spoken and written English of the U.S. between 1980 and 1999. Final Office Action, page 5. However, this statement indicates the character of the source language (SL) of Moser, and does not have any bearing on the standard bilingual dictionary. To this extent, Moser does not teach that its standard bilingual dictionary may be changed to one that reflects spoken and written English of the U.S. between 1980 and 1999, but rather the character of its source language. In fact, Moser does not teach updating its standard bilingual dictionary at all. As such, Moser does not teach updating its standard bilingual dictionary to a most current version.

In contrast, the claimed invention includes "...an update system for updating the retrieved language dictionary to a most current version." Claim 9. As such, the update system of the claimed invention does not merely indicate the character of the source language (SL) input as the Office indicates Moser does, but instead periodically updates the language dictionary. This language dictionary of the claimed invention, in contrast to the Office's interpretation of Moser, is updated by the update system to a most current version. Thus, the update system of the claimed invention is not taught by the indication of the character of the source language input in the Office's interpretation of Moser. Accordingly, Applicants respectfully request that the rejection of the Office be withdrawn.

With respect to dependent claim 11, Applicants respectfully submit that Moser fails to teach that the update system periodically updates the language dictionary based on a user designated language schedule having an update time, wherein the language dictionary is to be updated when the update time is reached. As stated above, the Office equates the update system for updating the retrieved language dictionary of the claimed invention with a statement in Moser that the source language may be written English, reflecting the spoken and written English of the U.S. between 1980 and 1999. Final Office Action, page 7. The Office states that, based on the above cited section of Moser, the update system for the language dictionary is based on a user defined "time period." Final Office Action, page 9. However, the statement referenced by the Office does not show that its time period has an update time, and that its standard bilingual dictionary entry is to be updated when the update time is reached. In contrast, the claimed invention includes "...wherein the update system periodically updates the language dictionary based on a user designated language schedule having an update time, wherein the language

dictionary is to be updated when the update time is reached.” Claim 11. As such, the user designated language schedule of the claimed invention is not merely a time period as in Moser, but has an update time, wherein the language dictionary is to be updated when the update time is reached. Thus, the designated language schedule of the claimed invention is not taught by the time period in the Office’s interpretation of Moser. Accordingly, Applicants respectfully request that the rejection of the Office be withdrawn.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

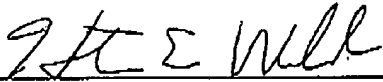
#### **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office’s interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. These features have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: March 30, 2006

  
\_\_\_\_\_  
Hunter E. Webb  
Reg. No.: 54,593

Hoffman, Warnick & D'Alessandro LLC  
Three E-Comm Square  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

RAD/hew